

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

ADVANCED REALTORS, LLC and
ESMARK REALTY, LLC,

Plaintiffs,

v.

HANDLOVITCH ENTERPRISES, LLC,
MARK HANDLOVITCH, PATRICIA
HANDLOVITCH and SHARPP DATA
MANAGEMENT, LLC,

Defendants.

HANDLOVITCH ENTERPRISES, LLC and
MARK HANDLOVITCH,

Petitioners,

v.

ADVANCED REALTORS, LLC and
ESMARK REALTY, LLC,

Respondents.

GD 19-007667

DEPT OF COURT RECORDS
CIVIL/FAMILY DIVISION
ALLEGHENY COUNTY PA

19 SEP 10 AM 11:15

FILED

ORDER

AND NOW, this 10th day of Sept, 2019, upon consideration of the Petition for the Appointment of a Receiver, it is hereby ordered that said Petition is Granted and that the appointment of a Receiver in this action is necessary and appropriate. It is further ordered that:

1) Peter Mendes is appointed as the receiver ("Receiver") and is to serve without bond.

2) The Court hereby takes exclusive jurisdiction and possession of the assets of Advanced Realtors, LLC of whatever kind and wherever situated.

3) The Receiver shall have all powers, authorities, rights and privileges heretofore possessed by the members, managers, and directors under applicable state law, operating

agreements, or other agreements of the members, in connection with the implementation of this Order.

4) All persons or entities with direct or indirect control over any assets of Advanced Realtors, LLC are hereby restrained and enjoined from directly or indirectly transferring, setting off, receiving, changing, selling, pledging, assigning, liquidating or otherwise disposing of or withdrawing such assets.

5) The managers, directors, accountants, attorneys and other agents of Advanced Realtors, LLC are hereby dismissed and the powers of any managers, directors, accountants, attorneys and other agents for Advanced Realtors, LLC are hereby suspended. Such persons shall have no authority except to the extent expressly granted by the Receiver. The Receiver shall assume and control the operation of Advanced Realtors, LLC.

6) The Receiver shall have the following power and duties:

a) To winddown operations of Advanced Realtors, LLC and dissolve Advanced Realtors, LLC;

b) To determine the nature, location and value of all assets of Advanced Realtors, LLC and to manage, control and maintain said assets until further order of Court;

c) To take custody, possession and control of all financial and corporate records of Advanced Realtors, LLC;

d) To use the assets of Advanced Realtors, LLC for the benefit of Advanced Realtors, LLC's clients, agents, and creditors as may be necessary or advisable in the ordinary course of business in discharging his duties as Receiver;

e) To take any action which, prior to the entry of this Order, could have been taken by the members, directors, accountants, managers or agents of Advanced Realtors, LLC;

f) To engage and employ persons in the Receiver's reasonable discretion to assist him in carrying out his duties and responsibilities hereunder;

g) To take such action as necessary and appropriate for the preservation of the property of Advanced Realtors, LLC or to prevent the dissipation or concealment of said property;

h) To bring such legal actions on behalf of Advanced Realtors, LLC based on law or equity that the Receiver deems necessary or appropriate in discharging his duties as Receiver or defend such legal actions on behalf of Advanced Realtors, LLC as necessary and to either continue, resolve or discontinue Advanced Realtors, LLC, participation in any pending actions to which Advanced Realtors, LLC is a party;

i) To undertake a full and complete accounting of Advanced Realtors, LLC's financial records; and

j) To take such other action as may be approved by the Court.

7) Within ten (10) days of the entry of this Order, the past and present members, managers, accountants, bookkeepers and attorneys for Advanced Realtors, LLC shall turn over to the Receiver all books, records, statements and documents of Advanced Realtors, LLC, whether in electronic form or hard copy, including all corporate meeting books and financial records.


8) Within fifteen (15) days of the entry of this Order, each member of Advanced Realtors, LLC shall serve upon the Receiver and all parties a verified statement 1) identifying all assets of Advanced Realtors, LLC including the identity, estimated value and location (including all account numbers for any bank or financial institution accounts) and 2) identifying all unpaid expenses of Advanced Realtors, LLC and all claims and known potential claims against Advanced Realtors, LLC.

9) The past and/or present members, managers, accountants, bookkeepers, employees, attorneys, directors of Advanced Realtors, LLC, and/or all parties to the present litigation shall promptly answer all questions which the Receiver may put to them and shall promptly produce all documents as requested by the Receiver.

10) The Receiver shall provide a status report to the Court and the parties to the present litigation within thirty (30) days of the date of this order and provide status reports to the Court from time to time as requested by the Court, upon completion of the accounting of the financial records of Advanced Realtors, LLC and as deemed necessary by the Receiver.

11) The Receiver shall provide a final accounting and report to the Court and the parties to the present litigation upon completion of all action necessary to dissolve Advanced Realtors, LLC.

By the Court:


The Honorable Christine A. Ward

